

SENATE BILL 2242

By Lundberg

AN ACT to amend Tennessee Code Annotated, Title 24; Title 28; Title 29; Title 30; Title 31; Title 32; Title 33; Title 34; Title 35; Title 45; Title 56; Title 63; Title 68 and Title 71, relative to persons with dementia.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 34, Chapter 6, Part 1, is amended by adding the following new section:

Notwithstanding any law to the contrary, a power of attorney or other writing that authorizes an attorney-in-fact or other agent to contract on behalf of a principal who the attorney in fact or other agent knows, or reasonably should know, has been diagnosed with any form of dementia is void unless the power of attorney or other writing is accompanied by a signed writing from the principal's physician in which the physician attests that the principal, at the time of execution of the power of attorney or other writing, possesses sufficient mental capacity to reasonably know and understand the nature, extent, character, and effect of a transaction into which the principal may enter.

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it, and applies to contracts entered into, amended, or renewed on or after that date.